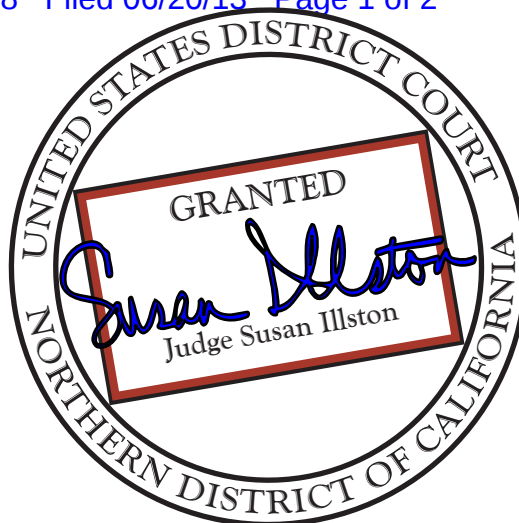


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GENENTECH, INC.



UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

GENENTECH, INC., as Plan
Administrator of The Genentech, Inc. Tax
Reduction Investment Plan,

Plaintiff,

v.

KINFONG SIT, MEE WAI CHIU, and
AYUMI NAKAMOTO,

Defendants.

Case No. 3:12-cv-05077-SI

(Related Case No. 3:12-cv-04864-SI)

**STIPULATION OF DISMISSAL OF
INTERPLEADER ACTION WITH
PREJUDICE**

Fed. R. Civ. P. 41(a)(1)(A)(ii)

Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), Plaintiff Genentech, Inc. and Defendants Kinfong Sit, Mee Wai Chiu and Ayumi Nakamoto, by their respective counsel, having already stipulated to dismissal of the entire action (including the Sit Action, Case No. 3:12-cv-05077-SI) (Dkt. No. 71), further specifically stipulate and agree to dismiss the Interpleader Action (Case No. 3:12-cv-04864-SI) with prejudice, with each party to bear its own costs and attorneys' fees.

IT IS SO STIPULATED

Dated: June 13, 2013

/s/ Nicole A. Diller
Nicole A. Diller, SBN 154842
MORGAN, LEWIS & BOCKIUS LLP
Attorneys for Plaintiff
GENENTECH, INC.

1 Dated: June 13, 2013

/s/ Wendell H. Goddard
Wendell H. Goddard, SBN 65944
GODDARD LAW OFFICES
Attorneys for Defendants
KINFONG SIT and MEE WAI CHIU

5 Dated: June 13, 2013

/s/ Suzan Yee
Suzan Yee, SBN 88418
TSAO-WU, CHOW & YEE LLP
Attorneys for Defendant
AYUMI NAKAMOTO

9 **ATTESTATION**

10 I, Nicole A. Diller, am the ECF User whose ID and password are being used to file this
11 Stipulation. In compliance with Civil L.R. 5-1(i)(3), I hereby attest that Wendell H. Goddard and
12 Susan Yee concurred in this filing. I declare under penalty of perjury under the laws of the
13 United States of America that the foregoing is true and correct. Executed this 13th day of June
14 2013, at San Francisco, CA.

15 /s/ Nicole A. Diller
Nicole A. Diller